



Press Release



**Congressman John Conyers, Jr.
Michigan, 14th District**

**Ranking Member, U.S. House Judiciary Committee
Dean, Congressional Black Caucus**

www.house.gov/judiciary_democrats/index.html

For Immediate Release:
December 22, 2005

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**Conyers and 26 Other Members Submit Resolution of Inquiry in House;
Members Seek Documents from Attorney General Authorizing Secret
Surveillance**

Representative John Conyers, Jr., (D-MI) House Judiciary Committee Ranking Member, along with 26 other Members today submitted a comprehensive resolution of inquiry regarding the National Security Agency's warrantless wiretapping program on U.S. soil. If reported favorably, the resolution would instruct the Attorney General to turn over documents in his possession authorizing the warrantless electronic surveillance and the legal recommendations to do so within 14 days, subject to any necessary redactions or security classifications.

Congressman Conyers released the following statement:

“Today I am introducing a Resolution of Inquiry requesting the Attorney General to transmit to Congress documents reflecting the legal justification for spying on American soil without judicial approval. I introduce this Resolution on behalf of myself and Mr. Berman, Mr. Boucher, Mr. Nadler, Mr. Scott of Virginia, Ms. Lofgren, Ms. Jackson Lee, Ms. Waters, Mr. Meehan, Mr. Delahunt, Mr. Wexler, Mr. Weiner, Mr. Schiff, Ms. Linda Sanchez, Mr. Van Hollen, Ms. Wasserman Schultz, Mr. Kennedy of Rhode Island, Mr. Doggett, Mr. McDermott, Mr. Filner, Mr. Markey, Ms. Schakowsky, Ms. Tauscher, Ms. Lee, Ms. McCollum, Mr. Udall of New Mexico and Mr. Holt.

“It is my hope that the Administration will voluntarily comply with this straightforward request, however, if they do not, this Resolution will require a vote in the Committee, and possibly the House floor so that the Members can go on record concerning whether this is an important enough issue to warrant Congressional oversight. I believe we simply cannot tolerate a situation where the Administration is both laying down and interpreting the law on its own accord, and not even sharing with the Members of Congress what the legal justification for such a program is.

“Last week we learned that the President has been using the National Security Agency to conduct surveillance involving U.S. citizens on U.S. soil, in apparent contravention of the Foreign Intelligence Surveillance Act. This week we learned that contrary to the President's assertions that the wiretapping included only foreign calls, some of the intercepted communications were conducted entirely within the United States. As a result of these disclosures, one member of the FISA Court, Judges James Robertson, resigned, and the presiding judge of the court has sought a classified briefing to address their concerns that the NSA program was illegal and may have been improperly used to gain further wiretaps from their court.

“These revelations raise some of the most serious legal and constitutional questions conceivable in our democracy – whether our own government is able to intercept our most private conversations without establishing to any independent party that such eavesdropping is in any way necessary or related to a possible crime. For 25 years under FISA we have created special procedures for obtaining intelligence information on U.S. soil. The standard for getting a wiretap warrant from the Foreign Intelligence Surveillance Court is so low that only 5 out of the 19,000 applications have been denied since 1978. We even allow FISA orders to be obtained on a retroactive basis for the first 72 hours, in case the government needs to move with great speed.

“However, for some reason the Bush Administration has opted not to use the FISA laws to obtain surveillance orders involving a number of people located on U.S. soil. As one official told the Washington Post, "the FISA process demanded too much: to name a target and give a reason to spy on it.”

“The purpose of this Resolution of Inquiry is to allow Congress to obtain the necessary information so we can learn precisely what the legal basis was for this great expansion of executive power. We are not asking to learn about the names or identities of the individuals who have been surveilled, at this point we simply want to learn on what legal basis the surveillance orders were issued. The Administration has proposed a number of legal theories to the press to justify the NSA wiretaps, ranging from the President’s authority as Commander In Chief to general authority included in the post 9/11 Afghanistan Resolution.”

##JUD-109-12/22/05##